

Notice is hereby given that the Chairman of the Public Financing Authority and Housing Authority has called and will convene a special meeting of the Housing Authority and Public Financing Authority, Tuesday, June 15, 2004, at 6:00 p.m., immediately following the City Council meeting in the Council Chambers, located in the Public Services Building, 276 Fourth Avenue, Chula Vista, California to consider, deliberate and act upon the following:

Stephen C. Padilla, Chairman



**TUESDAY, JUNE 15, 2004
6:00 P.M.**

(immediately following the City Council meeting)

**COUNCIL CHAMBERS
PUBLIC SERVICES BUILDING**

**SPECIAL MEETING OF THE PUBLIC FINANCING
AUTHORITY AND HOUSING AUTHORITY
MEETING JOINTLY WITH THE
REDEVELOPMENT AGENCY / CITY COUNCIL
OF THE CITY OF CHULA VISTA**

CALL TO ORDER

ROLL CALL

Agency/Council/Housing Authority/Public Financing Authority Members Davis, McCann, Rindone, Salas; Chair/Mayor Padilla

CONSENT CALENDAR

The staff recommendations regarding the following item(s) listed under the Consent Calendar will be enacted by the Council/Agency by one motion without discussion unless an Council/Agency member, a member of the public or City staff requests that the item be pulled for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak Form" available in the lobby and submit it to the Redevelopment Agency or the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed after Public Hearing items. Items pulled by the public will be the first items of business.

1. a. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH THE FIRM OF HB CONSULTING GROUP FOR ALIGNMENT STUDIES FOR THE SOUTH CIRCULATION NETWORK, AND APPROPRIATING AND TRANSFERRING FUNDS THEREFORE** **4/5THS VOTE REQUIRED**
- b. **JOINT RESOLUTION OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY WAIVING THE CONSULTANT SELECTION PROCESS AND APPROVING AN AGREEMENT WITH THE FIRM OF HB CONSULTING GROUP FOR ENGINEERING SERVICES RELATED TO ROCK MOUNTAIN**

ROAD, THE POGGI CREEK CHANNEL, GROWTH MANAGEMENT ORDINANCE UPDATE, THE EASTERN CHULA VISTA TRAFFIC CAPACITY ENHANCEMENT PROGRAM, AND ADDITIONAL INFRASTRUCTURE NEEDS WITHIN THE CITY, AND APPROPRIATING AND TRANSFERRING FUNDS THEREFORE

4/5THS VOTE REQUIRED

The City retained the services of HB Consulting Group to provide project management services related to the preliminary alignment studies for the South Circulation Network (Main Street, Heritage Road, and Rock Mountain Road). It is recommended that the scope of work be expanded to include additional roadway segments and Wolf Canyon Sewer alternatives and to retain the services of HB Consulting Group related to various infrastructure needs. (Director of General Services/City Engineer)

STAFF RECOMMENDATION: Council adopt resolution (a); and Council/Agency adopt resolution (b).

2. JOINT RESOLUTION OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA WAIVING CONFLICT OF INTEREST IN CONNECTION WITH RUTAN AND TUCKER, LLP'S REPRESENTATION OF THE CITY OF CHULA VISTA, THE REDEVELOPMENT AGENCY AND CALIFORNIA BANK & TRUST

Rutan & Tucker, LLP represents the City and Agency on a variety of legal issues. Rutan & Tucker, LLP have been asked by California Bank & Trust to represent it with respect to environmental and regulatory issues on the Auld Golf Course project in Chula Vista. Although primary discussion will take place with the federal and state regulatory agencies, it is possible that their representation could involve discussion with the City of Chula Vista. Because of the Conflict of Interest associated with representing two clients in adverse positions, Rutan & Tucker, LLP needs a waiver of this conflict of interest to continue representing all parties. (City Attorney)

STAFF RECOMMENDATION: Council/Agency adopt the resolution.

ORAL COMMUNICATIONS

This is an opportunity for the general public to address the Redevelopment Agency on any subject matter within the Agency's jurisdiction that is not an item on this agenda. (State law, however, generally prohibits the Redevelopment Agency from taking action on any issues not included on the posted agenda.) If you wish to address the Agency on such a subject, please complete the "Request to Speak Under Oral Communications Form" available in the lobby and submit it to the Secretary to the Redevelopment Agency or City Clerk prior to the meeting. Those who wish to speak, please give your name and address for record purposes and follow up action.

ACTION ITEMS

The items listed in this section of the agenda are expected to elicit substantial discussions and deliberations by the Council/Authority, staff, or members of the general public. The items will be considered individually by the Council/Authority and staff recommendation may in certain cases be presented in the alternative. Those who wish to speak, please fill out a Request to Speak form available in the lobby and submit it to the Redevelopment Agency or City Clerk prior to the meeting.

3. CONSIDERATION OF AMENDMENTS TO THE MASTER PLAN AND THE DESIGN BUILD AGREEMENT WITH HIGHLAND PARTNERSHIP, INC. FOR RENOVATIONS TO THE CITY'S CIVIC CENTER COMPLEX

The Council previously approved project no. GG-139, which involves the renovation of the Civic Center Complex. Since the execution of the design/build agreement with Highland Partnership, Inc., a number of substantive design changes have been proposed that will result in higher costs, but will add significant value to the overall project. Adoption of the resolution approves the proposed amendments to the Master Plan and to the design/build agreement with Highland Partnership, Inc. (Director of General Services)

STAFF RECOMMENDATION: Council adopt the following resolutions:

- a. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CIVIC CENTER MASTER PLAN**
- b. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE DESIGN BUILD AGREEMENT WITH HIGHLAND PARTNERSHIP, INC. (HPI) FOR THE PROVISION OF SERVICES REQUIRED FOR THE DESIGN AND CONSTRUCTION OF RENOVATIONS TO THE CITY'S CIVIC CENTER COMPLEX PURSUANT TO THE AMENDED MASTER PLAN, AND APPROVING THE GUARANTEED MAXIMUM PRICE OF \$33,904,000 FOR DESIGN/BUILD SERVICES FOR THE RENOVATIONS OF THE CIVIC CENTER COMPLEX, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AMENDMENT TO THE AGREEMENT**

PUBLIC HEARING

The following item(s) have been advertised and/or posted as public hearings as required by law. If you wish to speak to any item, please fill out the "Request to Speak Form" available in the lobby and submit it to the Redevelopment Agency or the City Clerk prior to the meeting.

4. CONSIDERATION OF THE EXECUTION, SALE AND DELIVERY OF CERTIFICATES OF PARTICIPATION IN ORDER TO FINANCE CERTAIN PUBLIC CAPITAL IMPROVEMENTS

The Council has previously approved a capital project to renovate the Civic Center Complex, and directed staff to return with recommended long-term financing. This financing plan includes funding for the first phase of the Civic Center Complex renovation (Demolition and Construction of City Hall) and infrastructure improvements in Western Chula Vista. Staff is recommending

approval of a long-term borrowing by issuing Certificates of Participation in an amount not-to-exceed \$39,000,000. [Director of Finance/Treasurer]

STAFF RECOMMENDATION: Council adopt resolutions (a) and (b); and Public Financing Authority adopt the resolutions (c) and (d):

- a. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING REQUIRED FINDINGS AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO THE SALE AND DELIVERY OF NOT-TO-EXCEED \$27,000,000 2004 CERTIFICATES OF PARTICIPATION, (CIVIC CENTER PROJECT – PHASE 1), APPROPRIATING \$14,207,022 FROM PROCEEDS AND \$3,000,000 FROM THE PUBLIC FACILITY DEVELOPMENT IMPACT FUND (PFDIF) TO THE CIVIC CENTER COMPLEX PROJECT (GG-139), AND REIMBURSING UP TO \$6,820,450 TO THE PFDIF FUND FOR MONIES PREVIOUSLY SPENT ON THE PROJECT BASED ON ANTICIPATED PROCEEDS FROM THE SALE OF THE CERTIFICATES OF PARTICIPATION, AND AUTHORIZING CERTAIN DOCUMENTS AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH**

4/5THS VOTE REQUIRED

- b. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING REQUIRED FINDINGS AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO THE SALE AND DELIVERY OF NOT-TO-EXCEED \$12,000,000 2004 CERTIFICATES OF PARTICIPATION, (WESTERN CHULA VISTA INFRASTRUCTURE PROJECT), APPROPRIATING \$9,000,000 FROM PROCEEDS TO THE WESTERN CHULA VISTA INFRASTRUCTURE PROJECT (GG-188), AND AUTHORIZING CERTAIN DOCUMENTS AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH**

4/5THS VOTE REQUIRED

- c. **RESOLUTION OF THE CHULA VISTA PUBLIC FINANCING AUTHORITY APPROVING A LEASE/PURCHASE AGREEMENT WITH THE CITY OF CHULA VISTA AND CERTAIN OTHER DOCUMENTS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE 2004 CERTIFICATES OF PARTICIPATION (CIVIC CENTER PROJECT – PHASE I) IN A PRINCIPAL AMOUNT NOT-TO-EXCEED \$27,000,000**

4/5THS VOTE REQUIRED

- d. **RESOLUTION OF THE CHULA VISTA PUBLIC FINANCING AUTHORITY APPROVING A LEASE/PURCHASE AGREEMENT WITH THE CITY OF CHULA VISTA AND CERTAIN OTHER DOCUMENTS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE 2004 CERTIFICATES OF PARTICIPATION**

**(WESTERN CHULA VISTA INFRASTRUCTURE PROJECT) IN A
PRINCIPAL AMOUNT NOT-TO-EXCEED \$12,000,000
4/5THS VOTE REQUIRED**

5. CONSIDERATION AND ADOPTION OF THE OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR THE CITY, REDEVELOPMENT AGENCY AND THE HOUSING AUTHORITY FOR THE FISCAL YEAR ENDING JUNE 30, 2005

The City Council has received and considered the City Manager's proposed operating and capital improvement budgets for the City and the operating budgets for the Redevelopment Agency and Housing Authority for the fiscal year ending June 30, 2005. Two work sessions were held to consider and deliberate on the recommendations contained in the FY 2004-05 Proposed Budget. The budget submitted at this time for formal adoption represents the City Manager's initial proposed budget amended to reflect (1) changes adopted by Council since the proposed budget was printed; and (2) various additional staff recommendations. [Assistant Director of Budget & Analysis]

STAFF RECOMMENDATION: Council/Agency/Housing Authority: 1) conduct the public hearing; and 2) that the Council adopted resolution (a); the Agency/Housing Authority adopt resolution (b); and Agency adopt resolutions (c) and (d).

- a. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR THE CITY OF CHULA VISTA FOR FISCAL YEAR 2005 AND APPROPRIATING FUNDS THEREFORE**
- b. **JOINT RESOLUTION OF THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY OF THE CITY OF CHULA VISTA ADOPTING THE OPERATING BUDGET AND CAPITAL IMPROVEMENT BUDGETS FOR THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY EXCLUDING THE BAYFRONT/TOWN CENTRE I AND SOUTHWEST/TOWN CENTRE II OTAY VALLEY PROJECT AREAS FOR FISCAL YEAR 2005 AND APPROPRIATING FUNDS THEREFORE**

- c. **RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA ADOPTING THE OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR THE BAYFRONT/TOWN CENTRE I PROJECT AREA FOR FISCAL YEAR 2005 AND APPROPRIATING FUNDS THEREFORE**
- d. **RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA ADOPTING THE OPERATING BUDGET AND CAPITAL IMPROVEMENT BUDGETS FOR THE SOUTHWEST/TOWN CENTRE II OTAY VALLEY PROJECT AREA FOR FISCAL YEAR 2005 AND APPROPRIATING FUNDS THEREFORE**

OTHER BUSINESS

- 6. **DIRECTOR'S REPORT**
- 7. **CHAIR REPORT**
- 8. **AGENCY COMMENTS**

ADJOURNMENT

The Special Meetings of the Public Financing Authority and Housing Authority will each adjourn separately until further notice; the Redevelopment Agency will adjourn to a closed session and thence to an Adjourned Meeting on July 13, 2004, at 6:00 p.m., in the Council Chambers.

CLOSED SESSION

Unless Agency Counsel, the Executive Director, or the Redevelopment Agency states otherwise at this time, the Agency will discuss and deliberate on the following item(s) of business which are permitted by law to be the subject of a closed session discussion, and which the Agency is advised should be discussed in closed session to best protect the interests of the City. The Agency is required by law to return to open session, issue any reports of final action taken in closed session, and the votes taken. However, due to the typical length of time taken up by closed sessions, the videotaping will be terminated at this point in order to save costs so that the Agency's return from closed session, reports of final action taken, and adjournment will not be videotaped. Nevertheless, announcements of actions taken in Closed Session shall be made by Noon on Wednesday following the meeting at the City Attorney's office in accordance with the Ralph Brown Act (Govt. Code § 54957.7)

9. CONFERENCE WITH REAL PROPERTY NEGOTIATOR -- Pursuant to Government Code Section 54956.8

Property:	Assessor Parcel No. 624-060-2700 (1.36 acres located north of the Otay River Valley and immediately east of the right-of-way for I-805)
Negotiating Parties:	Laurie Madigan (Redevelopment Agency), Vince Davies, Phillip Davies, Claude Yacoel, and State of California (Property Owners)
Under Negotiations:	Instructions to Negotiators

AMERICANS WITH DISABILITIES ACT

The City of Chula Vista, in complying with the Americans with Disabilities Act (ADA), request individuals who require special accommodates to access, attend, and/or participate in a City meeting, activity, or service request such accommodation at least 48 hours in advance for meetings and five days for scheduled services and activities. Please contact the Secretary to the Redevelopment Agency for specific information at (619) 691-5047 or Telecommunications Devices for the Deaf (TDD) at (619) 585-5647. California Relay Service is also available for the hearing impaired.